

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1134 be amended to read as follows:

- 1 Page 2, between lines 32 and 33, begin a new paragraph and insert:
- 2 "SECTION 3. IC 9-24-18-12 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 12. Upon receipt of a
- 4 court order under:
- 5 (1) IC 7.1-5-7-7 (minor possessing, consuming, or transporting
- 6 alcohol or having alcohol present in a bodily substance); **or**
- 7 **(2) IC 35-46-1-10.5(d) (individual less than eighteen (18) years**
- 8 **of age purchasing tobacco, accepting tobacco for personal use,**
- 9 **or possessing tobacco on the individual's person);**
- 10 the bureau shall suspend the minor's driver's license for the period
- 11 ordered by the court."
- 12 Page 3, after line 11, begin a new paragraph and insert:
- 13 "SECTION 5. IC 35-46-1-10.5 IS AMENDED TO READ AS
- 14 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 10.5. (a) A person less
- 15 than eighteen (18) years of age who:
- 16 (1) purchases tobacco;
- 17 (2) accepts tobacco for personal use; or
- 18 (3) possesses tobacco on his **or her** person;
- 19 commits a Class C infraction.
- 20 (b) It is a defense under subsection (a) that the accused person acted
- 21 in the ordinary course of employment in a business concerning tobacco:
- 22 (1) agriculture;
- 23 (2) processing;
- 24 (3) transporting;

1 (4) wholesaling; or

2 (5) retailing.

3 **(c) If a person:**

4 **(1) less than eighteen (18) years of age; and**

5 **(2) born after June 30, 1988;**

6 **violates subsection (a) after June 30, 2004, the court that enters the**
7 **judgment for the infraction under subsection (a) may issue an**
8 **order recommending that the person's driver's license be**
9 **suspended for up to one (1) year.**

10 **(d) The court shall deliver an order to the bureau of motor**
11 **vehicles recommending the suspension of the person's driver's**
12 **license under subsection (c). The bureau shall suspend the person's**
13 **driver's license under IC 9-24-18-12 for the period ordered by the**
14 **court.**

15 **(e) If a person receives a judgment for an infraction described**
16 **in subsection (a) and the person does not hold an operator's license**
17 **or a learner's permit, the court may issue an order recommending**
18 **that the person may not receive an operator's license or a learner's**
19 **permit from the bureau of motor vehicles until six (6) months after**
20 **the earliest date the person would otherwise be eligible to receive**
21 **an operator's license or learner's permit from the bureau of motor**
22 **vehicles. The bureau may not issue an operator's license or a**
23 **learner's permit to the person until the date specified in the court's**
24 **order."**

(Reference is to HB 1134 as printed January 24, 2002.)

Representative Thompson